

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Second Regular Session  
2010

House Engrossed  
**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

CHAPTER 192

# HOUSE BILL 2422

AN ACT

AMENDING SECTION 28-6706, ARIZONA REVISED STATUTES; RELATING TO PUBLIC ROADS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-6706, Arizona Revised Statutes, is amended to  
3 read:

4 28-6706. Primitive roads

5 A. The board of supervisors or the governing body of a city or town  
6 may designate a public road within its jurisdiction as a primitive road as  
7 prescribed in this section.

8 B. Neither a county, city or town nor its employees are liable for  
9 damages or injuries resulting from the use of a primitive road designated  
10 under this section except for intentional injuries or gross negligence caused  
11 by an employee acting within the scope of the employee's employment.

12 C. EXCEPT AS PROVIDED IN SUBSECTION D, the board of supervisors or the  
13 governing body of a city or town shall not designate a road as a primitive  
14 road unless it was opened before June 13, 1975 and was not constructed in  
15 accordance with county standards.

16 D. THE BOARD OF SUPERVISORS OR THE GOVERNING BODY OF A CITY OR TOWN  
17 MAY DESIGNATE A ROAD AS A PRIMITIVE ROAD IF ALL OF THE FOLLOWING APPLY:

18 1. THE ROAD WAS OPENED AFTER JUNE 13, 1975.

19 2. THE ROAD WAS ACCEPTED FOR MAINTENANCE BY THE BOARD OF SUPERVISORS  
20 OR THE GOVERNING BODY OF A CITY OR TOWN BEFORE JUNE 13, 1985.

21 3. THE ROAD WAS NOT CONSTRUCTED IN ACCORDANCE WITH COUNTY STANDARDS.

22 ~~D.~~ E. The county, city or town shall place signs on every road  
23 designated as a primitive road in locations adequate to warn the  
24 public. These signs shall state "Primitive road, caution, use at your own  
25 risk. This surface is not regularly maintained."

26 ~~E.~~ F. A board of supervisors or the governing body of a city or town  
27 shall not designate a state or county highway as a primitive road.

APPROVED BY THE GOVERNOR APRIL 28, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2010.